

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MONTANA**

In re

**INCREDIBLE AUTO SALES LLC,**

Debtor.

Case No. **06-60855-11**

**O R D E R**

At Butte in said District this 12<sup>th</sup> day of December, 2006.

In this Chapter 11 bankruptcy, after due notice, a continued hearing was held December 12, 2006, in Billings on the Motion for Relief from the Automatic Stay filed by Steve's Auto Sales, Inc., together with the objection thereto filed by Hyundai Motor Finance Company. Debtor, through counsel, consented on the record during the December 5, 2006, hearing to the Motion for Relief from the Automatic Stay filed by Steve's Auto Sales, Inc., and thus did not appear at the continued hearing. Hyundai Motor Finance Company was represented at the continued hearing by attorney Shane Coleman of Billings, Montana, and Steve's Auto Sales, Inc. was represented by attorney James A. Patten of Billings, Montana.

Counsel for Steve's Auto Sales, Inc. and counsel for Hyundai Motor Finance Company agreed at the hearing that Steve's Auto Sales, Inc.'s Motion for Relief from the Automatic Stay could be fully granted as it relates to a 2003 Dodge Stratus- Exhibit C, and 2005 KIA Spectra- Exhibit D. As to the remaining vehicles at issue, namely a 2004 Chevrolet Cavalier - Exhibit A, a 2007 Dodge Caliber- Exhibit B, a 2002 Mercury Sable- Exhibit E, a 2006 Pontiac G6- Exhibit F, and a 2005 Suzuki Forenza- Exhibit G, the parties agreed to file a transcript of the deposition of Steve Marks, and agreed to file briefs within specified time periods, after which time the

matter would be deemed submitted and ready for decision. In accordance with the foregoing,

IT IS ORDERED the stay afforded by § 362(a) of the Bankruptcy Code is modified to permit Steve's Auto Sales, Inc. to pursue its non-bankruptcy remedies with respect to a 2003 Dodge Stratus- Exhibit C, and 2005 KIA Spectra- Exhibit D. This portion of the Order is effective immediately and not stayed for ten days.

IT IS FURTHER ORDERED that the parties shall have through Wednesday, December 13, 2006, to file a copy of the transcript from Steve Mark's testimony; Steve's Auto Sales, Inc. shall have through December 19, 2006, to file a brief in support of its respective position on the Motion for Relief from the Automatic Stay; and Hyundai Motor Finance Company shall have through December 26, 2006, to file a brief in support of its respective position on the pending Motion for Relief from the Automatic Stay.

BY THE COURT



HON. RALPH B. KIRSCHER  
U.S. Bankruptcy Judge  
United States Bankruptcy Court  
District of Montana